

Remarks

By the enclosed disclaimer, applicant desires to overcome an actual or provisional rejection based on nonstatutory double patenting ground and the rejection pointed out in paragraph 4 of the office action.

A terminal disclaimer is timely filed in compliance with 37 CFR 1.321 (c) and is enclosed herein.

NOTICE, APPLICANT believes the comments of paragraph 4 mis-cite the patent number, 7,107,442, where it should have been patent number 7,009,534. The paragraph does not mention the inventor's name as is typical. Further, 7,107,442 has claims 1-21 in the patent not 1-20 as stated in the office action, where patent 7,009,534 has claims 1-20. Further, the heading above the rejection is "Double Patenting" not 35 U.S.C. §102 or §103. A double patenting rejection in view of 7,009,534 may be appropriate, but would not be appropriate in view of 7,107,442. The objection/rejection is not well understood in this regard. Should the objection/rejection be maintained a final office action is inappropriate in view of the lack of clarity.

Regarding paragraph 4 that is pointed out in the office action, US Patent no. 7,107,442, relates to computer networks. Independent claim 15, which is the only independent claim that claims an apparatus, claims an apparatus that implements a sleep proxy, comprising:

- a registration mechanism configured to receive a registration request from a device, wherein the registration request contains:

- sufficient information to allow the sleep proxy to generate a wakeup packet that can wake up the device,

- a list of requests for which the sleep proxy can answer, and a lease expiration time;

- a list addition mechanism configured to add the device to the list of devices for which the sleep proxy answers;

- a cancellation mechanism that is configured to cancel the device registration upon reaching the lease expiration time;
- a receiving mechanism configured to receive a request at the sleep proxy for information pertaining to a service provided by the device;
- a determination mechanism configured to determine if the device is a device for which the sleep proxy answers;
- a second determination mechanism configured to determine if the request is a request for which the sleep proxy can answer if the device is a member of the list of devices for which the sleep proxy answers;
- and a response mechanism configured to send a response to the request on behalf of the device if the request is a request for which the sleep proxy can answer.

Other independent claims are claiming methods.

However, the first independent claim in the claimed application as amended in the communication filed to the examiner on the 11-15-2006 is claiming a digital controller device for interfacing a user of adjustable power unit and an adjustable power module comprising:

- At least one analog to digital converter for converting analog input signal provided by the user to digital input;

- A micro-controller adapted to receive said input digital information and operate at least one digital to analog unit in response to said digital input information;

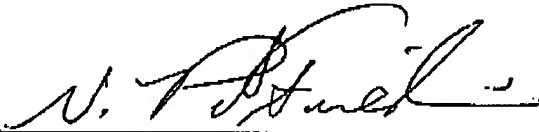
- At least one digital to analog converter unit adapted to produce analog input signal for controlling the adjustable module.

None of the elements that are claimed in the claimed application are listed in the list of features of the apparatus in patent 7,107,442. Therefore, there is no omission of elements as stated by the office action.

Conclusion

For all of the above reasons, the applicant submit his arguments and the Claims are now define patentable over the prior art. Therefore, the application and all claims are now in condition for allowance.

ANGENEHM LAW FIRM, Ltd.

By 

N. Paul Friederichs, Reg. No. 36,515

P.O. Box 48755

Coon Rapids, MN 55448

Telephone: 763/862-8987

Facsimile: 763/862-0518

PF:jai